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EXAMINER

BLOUNT, STEVEN

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/477,297

Applicant(s)

Tighe et al

Examiner

Blount

Group Art Unit

2661

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 1/4/00
- ☐ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-29 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-29 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 U.S.C. § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 - 5, 7 - 13, 15 - 25, and 27 - 29 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,449,269 to Edholm in view of U.S. patent 5,884,025 to Baehr et al.

With regard to claim 1, Edholm teaches a telephony system for communicating over the internet. Edholm does not however teach the use of a “virtual telephony intermediary” between the telephony devices (Edholm does teach the use of an intermediary controller member which manipulates the data as described in col 3 lines 10 - 30, but this is not a “virtual” intermediary).

Baehr et al teach the use of a “virtual intermediary” device between the telephony devices to help provide security by altering the source address of the packet (see col 7, lines 20 - 25) wherein the data maybe manipulated by encrypting or decrypting it, as described in col 7 lines 30 - 40.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Edholm with a “virtual” telephony intermediary device, in light of the teachings of Baehr et al, in order to provide a method for increasing the security of the phone calls.

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With regard to claim 2, see figure 7 and col 2 lines 10+ of Baehr et al, where a “screen” is positioned between two networks (col 2 lines 12+) as shown in figure 7 (member 340) where “a port or network interface is provided for each of the two networks” (eg, and with the devices on the networks, see col 2 lines 15+. See also col 7 lines 23+).

With regard to claim 3, note that col 7 line 23 states “changing the network address of the packet as it passes through the screen, can be done so that it appears that all the packets issuing from the screen come from the same host” indicates or would make obvious the packets leaving with the second address port mentioned in col 2, line 16. See also col 11 lines 35+.

With regard to claim 4, the port information and IP addresses are modified. See the abstract, and also col 7 lines 33+.

With regard to claim 5, UDP connections are discussed in col 1, lines 30+ of Edholm.

With regard to claims 7 - 8, col 11 lines 20+ of Edholm teach protocol conversion of an audio format.

With regard to claim 9, encrypting data is in effect replacing telecommunication data with substitute telecommunication data. See col 7 line 36.

With regard to claims 10 - 13 and 15 - 19, see the rejections above, including the following:

With regard to claim 10, see the discussion of first and second logical ports associated with first and second networks in the rejection of claim 2 (and voip in claim 1) and also network interfaces 410 and 425 (transmission modules) in figure 7; also, note the encryption/decryption

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mentioned in col 7 is commonly known to be carried out by an apparatus separate from the rest of the unit (eg, in modular form, said modular form as exemplified by the modules shown in figure 7). With regard to claim 11, see the rejection of claim 5 above. With regard to claim 12, the address translation mentioned in col 7 lines 20+ would be carried out by a network address translation unit of modular form similar to the modules shown in figure 7. With regard to claim 13, as noted with respect to claim 4 above, the source IP address and port information is modified, and this would occur in the network address translation unit mentioned above. With regard to claim 15 - 16, see col 11 lines 20+ of Edholm. With regard to claim 17, see col 7 lines 35+ of Baehr et al. With regard to claim 18, all of the limitations are discussed above, including intermediary 340 with the capability of encrypting/decrypting the data in the payload section and transmission modules 410 and 425. With regard to claim 19, see the rejection of claim 12 above.

With regard to claim 20, with respect to the call manager generating the intermediary and establishing the communication links, note that the connections shown in figure 6 of Baehr et al are typically formed by managers that operate under the control of controllers such as that shown in figure 3 of Edholm, member 314.

With regard to claims 21 - 25 and 27 - 29, see the rejections above, and note that the information steps needed to carry out the processes associated with the members shown in figures 6 - 8 of Baehr et al is known to be implemented in software.

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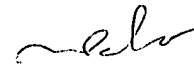
3. Claims 6, 14, and 26 are rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent 6,449,269 to Edholm in view of U.S. patent 5,884,025 to Baehr et al as applied to claims 1 - 5, 7 - 13, 15 - 25, and 27 - 29 above, and further in view of U.S. patent 5,896,379 to Haber.


Edholm/Baehr et al teach the invention as described above, but do not teach duplicating the data (Baehr however does teach that "a wide range of other actions on the packets" may be carried out in col 2 lines 43+). This is taught in col 1 lines 48+ of Haber, apparently for broadcasting purposes.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have duplicated the data in Edholm/Baehr et al, in light of the teachings of Haber, in order to provide a means for broadcasting the data to a plurality of nodes, perhaps in a conference call setting.

**Contact Information**

4. Examiner Blount may be contacted at the Patent Office between the hours of 9:00 am to 5:30 P.M. Monday through Friday. His phone number is (703) 305-0319.

  
Patent Examiner

SB  
  
3/13/03